CITY HALL COUNCIL CHAMBERS
SANTA MARIA, CALIFORNIA
REGULAR MEETING

AUGUST 4, 2009

INVOCATION:
Pastor Carl Nielsen of Bethel Lutheran Church gave the invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG:
Councilmember Orach led the Pledge of Allegiance.

CALL TO ORDER:
Mayor Lavagnino called the Regular Meeting of the City Council to order at 6:30 p.m.

ROLL CALL:
MEMBERS PRESENT
Councilmembers Cordero, Orach, Patino, Zacarías, and Mayor Lavagnino.

STAFF MEMBERS PRESENT
City Manager Ness, City Attorney Trujillo, Assistant City Manager Haydon, Community Development Director Appel, Fire Chief Ortiz, Director of Utilities Sweet, Director of Public Works/City Engineer Whitehead, Director of Administrative Services Snodgrass, Director of Recreation and Parks Posada, Police Chief Macagni, and Chief Deputy City Clerk Perez.

ANNOUNCEMENTS
Mayor Lavagnino expressed his condolences for the passing of Lompoc Mayor Dick DeWees and announced that the meeting would be adjourned in his honor.

PUBLIC COMMENT
Tina Baker spoke about two patriotic groups who gathered on the street corners to fly flags in support of this country's freedoms and to talk to people on the street. She said most people felt no one was doing anything to protect them and their freedoms. She had requested on several occasions that Congresswoman Capps hold a town hall meeting to hear the constituents' concerns. She asked the Council to request a town hall meeting with Congresswoman Capps as soon as possible.

Mickey Freeman spoke about a show on 60 Minutes which reported that 13,000 people were killed by drunk drivers. She commended the Police Department for their continued DUI checkpoints and said there were too many people being maimed and killed by drunk drivers.

Larry Bargenquast stated about 30 people had been meeting on Monday nights on the corner of Miller and Betteravia. On Monday, there was one person across the street holding a sign saying "Free Health Care For All." He talked about the cost of the program and said only five percent of the total population were actually uninsured. The mood of the American taxpayer was ugly, people were fed up and outraged. California had 12 percent of the population, but 30 percent of all the Welfare recipients in the entire Country. He thanked Chief Macagni and the Council for continuing the DUI checkpoints.

Richard Dydell said he was a member of Central California Immigration Reform. Their goal was to get a County ordinance passed to get the Ag employers to follow the H2-A Ag program. There have been a lot of delays and changes in the program. He said they would be requesting a resolution from the City Council in favor of a County ordinance. He also talked about the need for increased security at Pioneer Valley High School and other high schools.

Paula James spoke about the national health care issue. She said it represented tyranny. The Constitution of the United States and the Declaration of Independence

represented freedom. She said Congress was out of control and wanted to control everyone's lives.

Rodolfo Gonzalez spoke about the economy and that there needed to be a stop to the selling of homes. Most immigrants came here for a better life. They lived from pay check to pay check and everything went for necessities. The Council should get together and go to Congress and put a stop to the sale of homes so people could afford to buy things. The Obama project was not working. President Obama was giving away money for cars and there wasn't money to give away. They were giving away money they didn't have. Business owners needed to be supported because they needed to make money. All the money that was being put into the country was being taken out, and later it will end up like Mexico.

Toru Miyoshi stated that over the weekend he was informed by a neighbor that there was a drive-by shooting near his neighborhood. He looked in the paper for a report on the incident, but didn't find anything. There has been a rise in violent crimes in the community. All crimes that affect the public should be reported somehow so people could be on guard. He asked what the policy was for reporting incidents like this. He had been told there were other shootings that were not reported.

CONSENT CALENDAR
Mayor Lavagnino indicated he would pull Items 3F and 3G. Councilmember Orach requested Items 3G, 3I, and 3J be pulled for comment.

Item 3F – 2nd Reading and Adoption of Ordinance 2009-16 Relating to Off-Site Signs
Bruce Severance, Sign Craft, requested that the Council give consideration to include some kind of language that would allow off-site signs under exceptional circumstances. He said he was representing Mr. Patel, owner of the new Fairfield Inn and Suites. They had applied originally to have a driveway entrance between the two hotels right on Broadway. This was denied by the Building Department and Caltrans. The main driveway entrance to the hotel was over a quarter mile away from the primary frontage of the building. It was causing a lot of confusion for visitors who were getting off the freeway, driving down Broadway looking for a driveway entrance when there wasn't one. They feel these were exceptional circumstances and would like the Council to allow them to have a relatively small directional off-site sign on the corner of Roemer and Broadway and a smaller one on Roemer Court and Roemer Way directing people to the Fairfield Inn.

Mayor Lavagnino stated he felt this was a very exceptional circumstance. He asked if the ordinance, as written, would allow the City to accommodate this type of request or if adoption of the ordinance could be postponed for two weeks to add language to allow this kind of exception.

Mr. Appel stated up to this point there were no exemptions in the Municipal Code for any off-site signs. This was the first attempt to do that where it would be totally controlled by the City on City-owned or controlled property. If the Council wanted to add appropriate wording, staff could certainly take it back and revise the ordinance.

City Manager Ness suggested the Council adopt the ordinance tonight as presented and then direct staff to prepare a future amendment.

Councilmember Zacarías stated what this spoke to was faulty planning. She was proud of the two new hotels. She understood their request because she could not find the driveways. She appreciated the work that went into the ordinance, but she believed the City shared responsibility for the problem. She would prefer not to adopt this ordinance. There was a wonderful facility that was being under utilized because people could not get there. She recommended that the item be delayed for two weeks and brought back with revised language.

City Manager Ness stated that if it was the consensus of the Council to continue the item for two weeks, staff would not be able to get the work done in that time. According

to the City Attorney, if there was any substantial change, which this would be, the whole process would have to start over including going back to the Planning Commission.

City Attorney Trujillo indicated that the proposal he heard would require a substantial amendment to the ordinance, and would require quite a bit of analysis to create the type of exception Council wanted. The ordinance before the Council was very well thought out and very specific to the purposes. This would be creating an entirely new off-site sign ordinance.

City Manager Ness commented that one of the things that should be explored was some type of way-finding or directional sign instead of changing the off-site sign ordinance. Basically what they were asking for was directional signage, not advertising. The purpose of the off-site sign ordinance was to advertise on the freeway the existence of a downtown mall.

Councilmember Orach stated whatever the Council did, it would take the same amount of time. He would rather adopt the ordinance and come back with an amendment.

Councilmember Zacarías asked if there was not an opportunity in any of the City's codes for special circumstances such as this.

Director Appel stated the Sign Ordinance had a lot of flexibility in it; but with regard to off-site signs, it was very clear the City had not previously entertained through any method the use of off-site signs.

Councilmember Patino stated, in her opinion, this was two different issues, way-finding and advertising. They were two different things. She did not have a problem going ahead with the ordinance as presented.

J. P. Patel, Fairfield Inn & Candlewood Suites, stated when they presented the project to the Planning Department, they were required to set their building back 15 feet from the sidewalk. That limited the driveway access that they requested and needed. He thanked the building department for helping them through the building process and recommended streamlining the planning process which took too long. He recommended way-finding signs especially for the downtown area.

Item 3G – Office of Traffic Safety Grant
Paula James stated it was an incredible asset to have the State of California give local communities the money they needed to continue sobriety checkpoints. She encouraged the Council to accept the grant.

Councilmember Patino stated Fighting Back Santa Maria Valley had town hall meetings twice a year to inform the public about drunk drivers. They had family members talk about loved ones who have died because of drunk drivers.

Item 3I – Call for Bids for Landfill Concrete Drainage Swale
Councilmember Orach stated this was a significant expenditure to recapture runoff and to make sure that it was a healthy environment. The taxpayers dollars would be well spent.

Item 3J – Union Valley Parkway Agreement with the Santa Maria Public Airport District
Councilmember Orach commented with the passage of the agreement, the City would be one step closer to getting the Union Valley Parkway built.

Consent Calendar Items A through J were approved on motion by Councilmember Orach, seconded by Councilmember Patino, and carried on the following vote:

AYES: Councilmembers Cordero, Orach, Patino, Zacarías, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

A. ORDINANCES
The reading in full of all ordinances and resolutions was waived. Ordinances on the Consent Calendar were adopted by the same vote cast at the first reading unless City Council indicated otherwise.

B. MINUTES
The Minutes of the Regular City Council Meeting of July 21, 2009, were approved as submitted.

C. ANIMAL CONTROL AGREEMENT
Resolution No. 2009-113 was adopted approving an amendment to the agreement between the County of Santa Barbara and the City of Santa Maria for Animal Control Services for fiscal year 2009-10.

Resolution No. 2009-113 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING AN AMENDMENT TO THE AGREEMENT WITH THE COUNTY FOR ANIMAL CONTROL SERVICES.

D. WARRANTS
Warrant Nos. 152190 to 152627 totaling $8,591,292.21 were ordered ratified subject to having been certified as being in conformity with the budget and having been approved for payment by the Director of Administrative Services. Warrant Nos. 148048, 151953, 152222, and 152364 were cancelled.

E. PAYROLL
Payment of payroll was ordered ratified subject to having been certified by the proper Department Heads, as shown on records on file in the Department of Administrative Services and having been approved for payment by the Director of Administrative Services.

F. ORDINANCE NO. 2009-16
The City Council conducted the second reading of Ordinance No. 2009-16 amending Section 12-34.11(q) of the Santa Maria Municipal Code approving an exemption for off-site signs on City-owned or controlled property and adopted the ordinance.

Ordinance No. 2009-16 adopted. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AMENDING SECTION 12-34.11(q) OF THE SANTA MARIA MUNICIPAL CODE RELATING TO OFF-SITE SIGNS.

G. OTS GRANT
Resolution No. 2009-114 was adopted authorizing the appropriation of $319,410 to be allocated to the Santa Maria Police Department under the provisions of the Office of Traffic Safety (OTS) Driving Under the Influence (DUI) Enforcement and Awareness Program Grant AL1001.

Resolution No. 2009-114 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROPRIATING FUNDING UNDER THE CALIFORNIA OFFICE OF TRAFFIC SAFETY GRANT PROGRAM #AL1001.

H. AWARD OF BID
Resolution No. 2009-115 was adopted awarding the bid for North Railroad Avenue Storm Drain, Bid No. 2009/13, and approving a contract with R. Baker, Inc., in the amount of $123,630.00.

Resolution No. 2009-115 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING A CONTRACT WITH R. BAKER, INC. FOR NORTH RAILROAD AVENUE STORM DRAIN, BID NO. 2009/13.

I. CALL FOR BIDS
The City Council gave approval to call for bids on the plans and specifications for Landfill Concrete Drainage Swale, Bid No. 2009/14.

J. EASEMENT AND AGREEMENT

Resolution No. 2009-116 was adopted approving an easement, agreement, and temporary construction easement with the Santa Maria Public Airport District for roadway purposes for the dedication of right-of-way for the Union Valley Parkway (UVP).

Resolution No. 2009-116 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING AN EASEMENT, SEPARATE AGREEMENT, AND TEMPORARY CONSTRUCTION EASEMENT WITH THE SANTA MARIA PUBLIC AIRPORT DISTRICT.

APPOINTMENT TO BLOCK GRANT ADVISORY COMMITTEE

Chief Deputy City Clerk Perez gave the staff report. At the last City Council meeting, the Council made four appointments to the Block Grants Advisory Committee. Councilmember Cordero requested his nomination be postponed for two weeks to give him the opportunity to interview the applicants. Four applicants remain for consideration. Applicants John Venable and Patricia Lala contacted the City Clerk's office and requested their applications be withdrawn. The applicants are Nicolette Burke, Robert Cullati, John McCoy, and Kenneth Wolf. The individual appointed to fill this vacancy will serve a full term of three years.

Councilmember Cordero stated he spoke with all the applicants except Mr. McCoy, who he was not able to contact. The applicants had a tremendous amount of knowledge and dedication to volunteer service. He nominated Robert Cullati.

On motion by Councilmember Cordero, seconded by Councilmember Patino, and carried on the following vote:

AYES: Councilmembers Cordero, Orach, Patino, Zacarías, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Robert Cullati was appointed to a three-year term on the Block Grants Advisory Committee.

DEVELOPMENT AGREEMENT FOR WINDSET FARMS PROJECT

Director of Community Development Appel gave the staff report. The City Council is asked to consider a recommendation from the Planning Commission regarding the filing of a Mitigated Negative Declaration of Environmental Impact and an ordinance approving and executing a Development Agreement with the property owner to allow the phased deferral of public infrastructure improvements for the Windset Farms hydroponic farm, a phased greenhouse and packing facility project. The subject site is located in three zoning districts: OS (Open Space) on 145.5 acres; PD/CM (Planned Development/Commercial Manufacturing) on 47.4 acres and PD/M-2 (Planned Development/General Manufacturing) on 28.7 acres of a 221.6 acre parcel bounded by Black Road on the west, Sonya Lane on the north, "E" Street on the east, and Carmen Lane on the south. The project consists of four greenhouses totaling approximately 5.7 million square feet, a 140,000 square foot produce packing facility; four caretaker units; supporting water storage tanks; driveways; parking; landscaping and other supporting infrastructure. The project is proposed to be constructed in four phases with the first phase developing the 75 acres adjacent to Black Road. The timing of the other phases is not known. The project location and configuration require that the project install full public improvements on four roadway frontages on Black road, Carmen Lane, Sonya Lane, and "E" Street The standard improvements required by the Municipal Code would include fully operational roadways one-half width of standard plus 12 feet, curb, gutter, sidewalk, street lights, signs, street trees, drainage systems, sewer systems, water systems, and all dry utilities, etc. The applicant has requested relief from installing the public improvements along the project site's frontages on Carmen Lane, Sonya Lane, and "E" Street at this time because the improvements are expensive making the project economically infeasible and the improvements are unnecessary until other properties in the area develop. The applicant agrees to install frontage improvements on Black Road.

The Santa Maria Municipal Code does allow an exemption that would be applicable to this project. A development agreement is a legal mechanism by which a local agency may grant concessions to a developer and property owner in exchange for certain guarantees, dedications or offers of dedication, and other considerations.

On July 1, 2009, the Planning Commission considered the Conditional Use Permit for the project and continued the item to August 19, 2009, pending City Council action on the Development Agreement. On July 15, 2009, the Planning Commission adopted Resolution No. 2548 on a 5-0 vote recommending the City Council approve the Mitigated Negative Declaration of Environmental Impact and approve and execute the Development Agreement.

Mayor Lavagnino stated the people in Santa Maria had no idea how much effort had been put forth to put together this Development Agreement. This was a monumental document. For a project this large and complex to reach an agreement with all parties involved was quite an accomplishment and a testament to all the people who worked on it.

Councilmember Cordero stated he had the opportunity to speak to some people in the Ag business. They were ecstatic about this project coming to the community. He also commended Director Appel, City Manager Ness, and staff for the time they put in on this project. He said he had asked if water and sewer for this large of a project would be a problem for the City and was informed that it was not an issue.

City Attorney Trujillo informed the Council that there were some requested changes to the Development Agreement that were just received from the developer. He highlighted the requested changes.

Councilmember Orach and Councilmember Patino announced that they met with Steve Newell and Harrell Fletcher this week to discuss this item.

Councilmember Zacarías asked if this developer was one of the property owners who agreed to pay their share of the Environmental Impact Report for Area 9.

City Manager Ness replied this developer would be paying their share of the EIR.

Councilmember Zacarías asked if the one suggested change regarding minimum wage could be limited to those who did piece work and did not change the requirement for health insurance.

City Attorney Trujillo explained that the requested change only related to how the minimum wage was calculated and did not change the requirement for health insurance. It would be minimum wage averaged based on all the employees of the California corporation, which would include managers. The language in the Development Agreement provided to the City Council required $1.00 above minimum wage. The developer requested that language be changed.

Mayor Lavagnino opened the Public Hearing.

Laurie Tamura, Urban Planning Concepts, gave an overview of the project and the benefits to the community. She expressed her appreciation to all involved in this process.

City Attorney Trujillo stated the alternatives staff proposed were opposite from what the developer was requesting. He explained the difference between the requested changes and the alternatives. Staff had not had the opportunity to discuss the alternatives with the developer.

Steve Newell, Windset Farms, explained how they paid their staff a base rate plus a bonus based on productivity. They encouraged productivity so people made more money. It was important that it was an average so new people had a chance to get up to speed. It was not a piece-rate system. It was a base, plus a bonus.

Councilmember Zacarías stated her concern was that if the salary of even one management person was included in the average, that would allow a lower minimum wage.

Councilmember Cordero asked if the bonus program applied the same for both top level employees and line employees.

Steve Newell explained the different levels of bonuses and how they were determined.

Toru Miyoshi stated when he read about this project, he supported it. His concern was the social and racial impacts to the City. He asked if these people would be able to afford housing. One of the frustrations that was surfacing in the community was the degradation of neighborhoods because of overcrowding. Due to the lack of farmworker housing, there was conversion of single-family housing into boarding houses which created an incompatible use within traditional single-family neighborhoods. This project, as good as it was, might be compounding the social conflict in the community by adding 400 Ag employees to the community who probably would not be able to afford housing.

Hearing no further requests to speak, Mayor Lavagnino closed the public hearing.

Councilmember Cordero stated the Council was very aware of what Mr. Miyoshi was talking about. He asked Mr. Newell if he understood the concerns Mr. Miyoshi expressed.

Mr. Newell stated this project would provide consistent work and a consistent paycheck unlike field work. The training they offered provided opportunities to learn English and a skill. He thought they could be a good addition to the Ag community and the town. He believed field agriculture had more limited potential as compared to what their type of employment offered.

Councilmember Cordero stated there were issues in the community with some of the workforce, and to add 400 more Ag workers who may be living under the same conditions was a concern.

Mayor Lavagnino stated it was not just Windset Farms. Santa Maria's problem was the 9,500 acres of strawberries outside the City of Santa Maria. The City did not have the strawberry farms, but it had the people. That was what was hurting the City, the School Districts, Marian Hospital, and single-family neighborhoods. This was an issue that was far in excess of what the City could do.

Councilmember Patino stated she didn't think 200 people were going to move into the City. There were many people who were out of work, and this would provide jobs. The economic benefits to the City were important. This project was important to the City.

Councilmember Orach agreed with his colleagues.

Resolution No. 2009-117 was adopted authorizing the filing of a Mitigated Negative Declaration, E-2009-017, for the Windset Farms Project on motion by Councilmember Orach, seconded by Councilmember Patino, and carried on the following vote:

AYES:	Councilmembers Cordero, Orach, Patino, Zacarías, and Mayor Lavagnino
NOES:	None
ABSENT:	None
ABSTAIN:	None

Resolution No. 2009-117 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AUTHORIZING THE FILING OF A MITIGATED NEGATIVE DECLARATION, E-2009-017, FOR THE WINDSET FARMS PROJECT DEVELOPMENT AGREEMENT AND CONDITIONAL USE PERMIT, FILE NOS. SP-2009-015 AND U-2009-013, LOCATED AT THE EAST SIDE OF BLACK ROAD BETWEEN THE FUTURE CARMEN LANE AND SONYA LANE EXTENSIONS.

Mayor Lavagnino suggested that the Council discuss the requested changes to the Development Agreement, achieve consensus, and add that to the motion.

Paragraph 7 – No security deposit until occupancy as requested by the developer was the Council consensus.

Director Whitehead explained that Paragraph 7 also included a request to reduce the Labor and Materials bond from 100 percent to 50 percent of the cost of the improvements. He agreed with that request, and it was included in the revised Development Agreement.

Paragraph 8c – Alternative: Council consensus was to change the language to limit it to an average of $1.00 over minimum wage for all non-management employees.

City Attorney Trujillo suggested the language of Paragraph 8c be changed to eliminate the word "all" and add "excluding all management employees" and provide health care benefits.

Paragraph 13 – consensus was to approve the language requested by the developer.

Ordinance No. 2009-17 approving a development agreement for Windset Farms as revised and with the amended language of Paragraph 8C was introduced by title only for first reading and continued to the next meeting for second reading and adoption on motion by Councilmember Cordero, seconded by Councilmember Zacarías, and carried on the following vote:

AYES: Councilmembers Cordero, Orach, Patino, Zacarías, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Ordinance No. 2009-17 introduced. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING A DEVELOPMENT AGREEMENT FOR WINDSET FARMS, SP-2009-015, E-2009-017, LOCATED ON THE EAST SIDE OF BLACK ROAD BETWEEN THE FUTURE SONYA LANE AND CARMEN LANE EXTENSIONS.

LANDSCAPE MAINTENANCE DISTRICT ASSESSMENTS

Director of Recreation and Parks Posada gave the staff report. The purpose of this item is to confirm the assessment rates presented to the public and City Council at the June 2, 2009, City Council meeting for the City's four Landscape Maintenance Districts. In 2009-10, it is projected that there will be 8,179 dwelling units and 461 commercial properties within the four Districts. This is an increase of 79 residential dwelling units and 36 commercial units from last fiscal year. The number of assessed parcels in the 18 Special Benefit Zones has remained the same. Since 2004, all residential properties and commercial properties have been assessed the same amount within their respective Landscape Maintenance Districts. It has been the City's practice to increase annual assessments by the CPI. However, staff is not proposing a CPI increase this year due to the state of the current economy. The proposed assessments for 2009-10 will be the same as those charged in 2008-09. Staff feels sufficient revenue will be generated to meet the 2009-10 operating, renovation, and reserve costs. Staff has kept costs to a minimum, working closely with local contractors at all levels to ensure the best quality of service at the lowest possible price. This helps to keep assessment levels low.

Mayor Lavagnino opened the public hearing. Hearing no requests to speak, Mayor Lavagnino closed the public hearing.

Resolution No. 2009-118 confirming the assessments for the South Miller Street/South College Drive Landscape District was adopted on motion by Councilmember Patino, seconded by Councilmember Orach, and carried on the following vote:

AYES: Councilmembers Cordero, Orach, Patino, Zacarías, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2009-118 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENTS FOR THE SOUTH MILLER STREET/SOUTH COLLEGE DRIVE LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. DS-6.

Resolution No. 2009-119 confirming the assessments for the Northwest Landscape District was adopted on motion by Councilmember Patino, seconded by Councilmember Orach, and carried on the following vote:

AYES: Councilmembers Cordero, Orach, Patino, Zacarías, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2009-119 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENTS FOR THE NORTHWEST LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. DS-9.

Resolution No. 2009-120 confirming the assessments for the Northeast Landscape District was adopted on motion by Councilmember Patino, seconded by Councilmember Orach, and carried on the following vote:

AYES: Councilmembers Cordero, Orach, Patino, Zacarías, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2009-120 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENTS FOR THE NORTHEAST LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. DS-10.

Resolution No. 2009-121 confirming the assessments for the Southwest Landscape District was adopted on motion by Councilmember Patino, seconded by Councilmember Orach, and carried on the following vote:

AYES: Councilmembers Cordero, Orach, Patino, Zacarías, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2009-121 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENTS FOR THE SOUTHWEST LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. DS-11.

CITY MANAGER'S REPORT

City Manager Ness reported on items anticipated for the August 18, 2009, City Council meeting including the Chamber of Commerce and Economic Development Commission semi-annual reports, two public hearings for a Zoning Text Amendment related to Use Permits for off-site auto sales and the Storm Water Runoff Pollution Prevention Ordinance, and the fourth quarter financial report and personnel changes as a result of the budget.

ORAL REPORTS BY COUNCILMEMBERS

Councilmember Cordero reported on July 22nd, he attended a planning meeting for the City Employees' BBQ; on July 24th, a meeting on Peace Week at Marian Hospital; on July 25th, a gathering in honor of Harrell Fletcher's 90th birthday; on July 29th, a PUEBLO meeting, a meeting at the Boys Club, a meeting with local hotel owners looking for ways to help the City and bring people to the City, and the Fresh and Easy Grand Opening; and on August 4th, a meeting with people from United Way who invited him to sit on their Board. In addition, he interviewed the applicants for the Block Grants Advisory Committee.

Councilmember Patino reported she also attended the Peace Week planning meeting on July 24th; on July 27th, she served dinner at Good Samaritan Shelter; on July 28th, she attended the Manufacturing Association meeting; and on July 29th, the Fresh and Easy Grand Opening.

Councilmember Zacarías reported that the last few weeks have been filled with budget meetings in her organization; she also met with representatives from PUEBLO; and spent a lot of time at Marian Hospital where her mother was a patient after breaking her leg.

Councilmember Orach reported he attended the INC. reception for Harrell Fletcher and his 90th birthday party; the Hispanic Business Committee meeting, the Integrated Waste Management Facility workshop at Shepard Hall, and the Storm Water Runoff workshop.

Mayor Lavagnino reported he attended the Central Coast Water Authority Meeting on July 23rd; hosted the KMSA radio show on July 24th and attended the 50th Anniversary of Vandenberg Tracking Station and Harrell Fletcher's 90th birthday party. On July 29th, he attended the Fresh and Easy Grand Opening, and on July 31 he hosted the KSMA radio.

CLOSED SESSION

The City Council recessed to a Closed Session at 8:25 p.m. to discuss Conference with Legal Counsel - regarding Existing Litigation pursuant to Subsection (a) of Government Code Section 54956.9 for Orcutt Citizens for Better Environment v. City of Santa Maria, Case No. 1314150; and Conference with Labor Negotiators pursuant to Section 54957.6 of the Government Code - Agency Representative: Assistant City Manager; Employee Organizations: Santa Maria Police Officers Association (SMPOA); Service Employees International Union (SEIU), Local 620; Fire Fighters Local 2020; Public Safety Managers; and Non-Represented Management and Confidential Employees

Following the Closed Session, the following report was given:

Conference with Legal Counsel – Orcutt Citizens for Better Environment v. City of Santa Maria - Direction to staff was given.

Conference with Labor Negotiators – SMPOA, SEIU, Fire Fighters Local 2020, Public Safety Managers, and Non-represented Management and Confidential Employees Group – Status report was given.

ADJOURNMENT

There being no further business to come before the City Council at this time, the meeting was declared adjourned by Mayor Lavagnino at 9:16 p.m. in honor of Lompoc Mayor Dick DeWees.

APPROVED
August 18, 2009
Date

Patricia A. Utley
Chief Deputy City Clerk of the City of Santa Maria and ex officio Clerk of the City Council

ATTEST:
Patricia A. Utley
Chief Deputy City Clerk

S. Lavagnino
Mayor of the City of Santa Maria